

Status: Point in time view as at 25/04/2024.

Changes to legislation: New Roads and Street Works Act 1991, Cross Heading: Local inquiry is up to date with all changes known to be in force on or before 27 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 5

PROCEDURE FOR MAKING CERTAIN ORDERS UNDER PART III

Local inquiry

- 3 (1) The Secretary of State shall cause a local inquiry to be held if an objection to the proposed order is received by him—
- (a) from a person required to be furnished with a copy of the draft order within three months from the date of his being furnished therewith, or
 - (b) from any other person appearing to him to be affected within three months from the day on which the notice of the proposed order is published, or if it is published on two or more days from the later or latest of them,
- and the objection is not withdrawn.
- (2) In the case of an objection made otherwise than by a person required to be furnished with a copy of the draft order, the Secretary of State may dispense with such an inquiry if he is satisfied that it is unnecessary.
- 4 (1) The provisions of section 250(2) to (5) of the ^{M1}Local Government Act 1972 (which relate to the giving of evidence at, and the defraying of costs of, inquiries) apply in relation to a local inquiry held under paragraph 3.
- (2) Subsection (4) of that section (which requires the costs of the department holding the inquiry to be defrayed by the parties thereto) shall not apply in so far as the Secretary of State is of the opinion, having regard to the object and result of the inquiry, that his costs should be defrayed by him.

Marginal Citations

M1 1972 c. 70.

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